

Scianni, Melissa

From: David Lewis, Save The Bay <updates@savesfbay.org>
Sent: Tuesday, April 21, 2015 11:06 AM
To: Campbell, Rich
Subject: Until Cargill Relents

Salt Pond Update
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Rich,

I want to update you on our recent success in safeguarding over 1,400 acres of restorable Bay salt ponds that Cargill still wants to develop in Redwood City.

Over the last several years, we've left no stone unturned in our effort to prevent the largest Bay fill development in decades, Cargill's proposal to build 12,000 homes on Bay salt ponds in Redwood City.

As you've heard from us, **Cargill's lawyers created a novel interpretation of the Clean Water Act that would exempt its ponds from federal oversight, and made major progress behind the scenes convincing senior U.S. Army Corps lawyers to adopt their view.** That's why I travelled last month to the E-ring of The Pentagon, to meet with the U.S. Army's Deputy General Counsel. He made it clear to me that the Corps was about to decide in Cargill's favor. [Read more about why Save The Bay talks with generals on our blog.](#)

In September, U.S. Representative Jackie Speier and 10 other Bay Area members of Congress wrote a letter warning the Corps not to relinquish federal jurisdiction over the salt ponds without considering the consequences for the Bay. "One agency should not unilaterally issue a ruling that guts the Clean Water Act's jurisdiction," [Speier wrote](#), asking the Corps to "fully consult with the EPA, Congress and other stakeholders before they decide that certain sites are not worthy of protection."

We set out to convince the Environmental Protection Agency to block the Army Corps' action and take over the Clean Water Act decision itself. More than 3,000 Save The Bay activists signed petitions to the Corps and to EPA Administrator Gina McCarthy demanding this protection. When I met with MacCarthy's deputy in DC, he was already well-briefed.

Fortunately for the Bay, the Clean Water Act has an ardent defender in Jared Blumenfeld, EPA's Regional Administrator in California. He had been educating EPA headquarters about the [Cargill Saltworks issue](#) for months. When the Corps moved to finalize its ruling in favor of Cargill, Blumenfeld stepped in to seize the issue, EPA headquarters assented, and **now the EPA is conducting its own review of the Clean Water Act's coverage of the Redwood City salt ponds.**

The *San Francisco Chronicle*, which strongly opposed Cargill's development in 2010, saluted EPA's move and underscored in its editorial that Redwood City's shoreline ["...simply isn't a good site for housing development."](#) And back in Redwood City, for the first time ever, a member of the city council has [publicly opposed developing housing on Cargill's ponds](#). In spite of all of this opposition, Cargill still insists it will pursue its development project, most recently on a [KQED-FM Forum](#) broadcast.

Which of the many contacts by Save The Bay, our activists and allies, our elected officials and regional opinion leaders, has stopped Cargill's project to build a massive new city in the Bay? Which petition, outreach to unlikely partners or side conversation has made the difference?

The answer is: all of them. And until Cargill relents, we'll need more. Our region doesn't build in the Bay anymore, and [we won't rest until this property is fully protected for habitat restoration and inclusion in the S.F. Bay National Wildlife Refuge.](#)

Sincerely,



David Lewis
Executive Director

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